

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

YETTA JOHNSON §
§
v. § CIVIL CASE NO. 4:20-CV-767-SDJ
§
CONIFER HEALTH SOLUTIONS §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 7, 2021, the Report of the Magistrate Judge, (Dkt. #32), was entered containing proposed findings of fact and recommendations that Defendant Hospital RCM Services, LLC’s¹ Motion to Dismiss and Compel Arbitration, (Dkt. #15), be granted and Plaintiff Yetta Johnson’s claims be submitted to arbitration. Having assessed the Report and considered Plaintiff’s Objections, (Dkt. #34), the Court determines that the Magistrate Judge’s Report and Recommendation should be adopted.

OBJECTIONS

A party who files timely written objections to a magistrate judge’s report and recommendation is entitled to a *de novo* review of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b)(2)–(3).

¹ Defendant states it has been incorrectly named in Johnson’s Complaint, as Conifer Health Solutions, and that Defendant’s correct name is Hospital RCM Services, LLC. (Dkt. #15 at 1 n.2).

Johnson raises a single objection to the Magistrate Judge's Report, asserting that the Report incorrectly states the date she relocated to Texas; Johnson avers that she relocated to Texas in 2018 rather than "in August of 2016." (Dkt. #34 at 1). Johnson does not dispute any of the Magistrate Judge's ultimate findings. She objects only to a factual recitation that does not impact or change the determination that Defendant Hospital RCM Services, LLC's Motion to Dismiss and Compel Arbitration should be granted. Thus, Johnson's Objection is **OVERRULED**.

CONCLUSION

Having considered Plaintiff Yetta Johnson's Objection, (Dkt. #34), the Court adopts the Magistrate Judge's Report and Recommendation, (Dkt. #32), as the findings and conclusion of the Court.

It is therefore **ORDERED** that Defendant Hospital RCM Services, LLC's Motion to Dismiss and Compel Arbitration, (Dkt. #15), is **GRANTED**. Plaintiff Yetta Johnson's claims are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that Plaintiff Yetta Johnson's claims should be submitted to arbitration pursuant to the terms of the Arbitration Agreement.

So ORDERED and SIGNED this 2nd day of June, 2021.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE